

REMARKS

This application has been carefully reviewed in view of the above-referenced Final Office Action and the interviews conducted on May 27, 2009, and reconsideration is requested in view of the following remarks.

Regarding the Notice of Non-Compliant Amendment

The present amendment was previously deemed non-compliant due to an inadvertent inclusion of two claims 42. The present amendment shows all prior amendments and additionally shows the second claim 42 deleted for clarity of the record. Consideration of the present amendment and entry as the RCE submission is earnestly solicited. Applicants regret any confusion the earlier submission may have caused.

Regarding the Rejections under 35 U.S.C. §103

The claims have all been rejected at least based upon the Giglio and Mouko references in combination or sub-combination. In order to establish *prima facie* obviousness, it is first necessary for the Office to find each and every claim element of the claims.

As discussed during the interview, the undersigned is unable to find a teaching in Giglio of "wherein the DHCP services use DHCP option 43 to define a scope of the subscriber site in which the scope is defined to be equal to a maximum number of potential peer terminals at the subscriber site" (emphasis added). The DHCP services of Giglio cannot be found by the undersigned to disclose that the pool is equal to the above definition with reference to the subscriber site. Multiple references to this feature are present in the claims.

During the interview, Examiner Beliveau indicated that the claims could be read on an arrangement wherein the entire pool of IP addresses could be assigned to one subscriber site and suggested the language of claim 1 could be amended to remedy this by using language such as "equal to a subset of the maximum number of potential terminals residing at the subscriber site" or the like and by clarification of the location of the DHCP server. Applicants have made such amendments and are happy to further clarify the language if need be. At this point, however, it is

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believed clear that an understanding as to the intended scope of the claims has been reached, and the undersigned requests the courtesy of a telephone call should further clarification be needed.

In view of this amendment, it is believed that the reading taken by the Office of the claim scope is no longer viable. Hence, the teaching of Giglio is now clearly inadequate to meet this claim feature. Accordingly the combination fails to establish *prima facie* obviousness and reconsideration and allowance are respectfully requested.

In addition, The undersigned cannot find any indication in Mouko that the "including a number for the terminal wherein the number falls within the scope of the subscriber site" (emphasis added). The numbers used in Mouko are not explained as such within Mouko and there is no enabling teaching to support the Office's position. Thus, the Office further falls short in establishing *prima facie* obviousness for failure to identify this claim feature in the art. Reconsideration and allowance are therefore respectfully requested.

Concluding Remarks

The interviews conducted on May 27, 2009 were insightful to the undersigned, who appreciates the courtesies extended during such interviews. Accordingly, should further discussion be likely to contribute to early disposal of the present application, the undersigned cordially invites the Examiner to call at any time.

Several new dependent claims are presented for the Examiner's consideration.

The undersigned additionally notes that many other distinctions exist between the cited art and the claims. However, in view of the clear distinctions pointed out above in connection with the independent claims, further discussion is believed to be unnecessary at this time. Failure to address each point raised in the Office Action should accordingly not be viewed as accession to the Examiner's position or an admission of any sort. Applicants reserve the right to argue any of the points presented for the rejection of the dependent claims at a later date.

Respectfully submitted,

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